

Matthew S. Warren (State Bar No. 230565)
Erika H. Warren (State Bar No. 295570)
22-3892@cases.warrenkashwarren.com
WARREN KASH WARREN LLP
2261 Market Street, No. 606
San Francisco, California, 94114
Tel: (415) 895-2940
Fax: (415) 895-2964

David I. Berl (*pro hac vice*)
Adam D. Harber (*pro hac vice*)
Elise M. Baumgarten (*pro hac vice*)
Melissa B. Collins (*pro hac vice*)
D. Shayon Ghosh (State Bar No. 313628)
Arthur John Argall III (*pro hac vice*)
Andrew G. Borrasso (*pro hac vice*)
WILLIAMS & CONNOLLY LLP
680 Maine Avenue S.W.
Washington, D.C., 20024
Tel: (202) 434-5000
Fax: (202) 434-5029

*Counsel for Plaintiffs Gentex Corporation
and Indigo Technologies, LLC*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

**GENTEX CORPORATION and INDIGO
TECHNOLOGIES, LLC,**

Plaintiffs.

THALES VISIONIX, INC.,

Involuntary Plaintiff,

v.

META PLATFORMS, INC. and META
PLATFORMS TECHNOLOGIES, LLC,

Defendants.

Case No. 4:22-cv-03892-YGR

**DECLARATION OF ADAM D. HARBER
IN SUPPORT OF STIPULATION TO
EXTEND DEADLINE TO FILE REPLY
BRIEF RE JOINT MOTION TO
DISMISS**

Judge: Hon. Yvonne Gonzalez Rogers

1 I, Adam Harber, do hereby declare as follows:

2 1. I am an attorney licensed to practice law in the District of Columbia and admitted *pro
hac vice* in this matter. I am counsel to voluntary plaintiffs Gentex Corporation and Indigo
3 Technologies, LLC (collectively, “Gentex”). I have personal knowledge of the matters set forth below
4 and if called and sworn as a witness, I could and would testify competently to the facts set forth herein.

5 2. I make this declaration in accordance with Local Rule 6-2(a) in support of the
6 concurrently filed Stipulation and [Proposed] Order To Extend Deadline To File Reply Brief re: Joint
7 Motion To Dismiss.

8 3. On January 12, 2024, Gentex and Defendants Meta Platforms, Inc. and Meta Platforms
9 Technologies, LLC (collectively, “Meta”) jointly moved to dismiss this action. *See* Docket No. 139.

10 4. On January 26, 2024, Involuntary Plaintiff Thales Visionix, Inc. (“Thales”) filed a
11 response to Gentex’s and Meta’s joint motion to dismiss. *See* Docket No. 146.

12 5. Gentex’s and Meta’s reply brief in support of their motion is currently due on February
13 2, 2024.

14 6. Due to the need for Gentex and Meta to file a joint brief, as well as the need for certain
15 of Gentex’s counsel to participate in an in-person hearing on January 31, 2024 in the United States
16 District Court for the Western District of Texas in another case, the parties respectfully request a short
17 extension of the deadline for Gentex’s and Meta’s reply brief until February 7, 2024.

18 7. While the case was pending in the United States District Court for the Western District
19 of Texas, the parties stipulated to five previous extensions of deadlines relating to service of
20 contentions, claim construction briefing, briefing on Meta’s motion to transfer, and venue discovery,
21 none of which affected the schedule for the case in that court. *See* Docket Nos. 28, 38, 42, 60, 69.

22 8. After the case was transferred to this Court, the parties have stipulated to extend the
23 deadline for Gentex to file an opposition to Meta’s motion for leave to file an amended answer. *See*
24 Docket No. 131. The parties later stipulated to vacate the briefing deadlines for that motion in light
25 of the parties’ stipulation to stay the case pending *inter partes* review. *See* Docket No. 133.

26 9. The requested time modification would not affect the schedule for the case, as the case
27 is currently stayed and administratively closed. *See* Docket Nos. 134, 136.

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 30th day of January, 2024 in Washington, D.C.

/s/ Adam D. Harber

Adam D. Harber

SIGNATURE ATTESTATION

Under Local Rule 5-1(i)(3), I attest that I have obtained concurrence in the filing of this document from the other signatory.

Dated: January 30, 2024

Matthew S. Warren